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ABBOTT LABORATORIES

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

SMITHKLINE BEECHAM CORPORATION)
d/b/a GLAXOSMITHKLINE,)

Plaintiff,)

v.)

ABBOTT LABORATORIES,)

Defendant.)

Case No. C07-5702 (CW)
(Consolidated Cases)

Related per November 19, 2007 Order to
Case No. C04-1511 (CW)

**STIPULATION EXTENDING
DEADLINES RELATING TO ABBOTT'S
RESPONSES TO
GLAXOSMITHKLINE'S SECOND SET
OF REQUESTS FOR ADMISSIONS**

1 WHEREAS, the parties completed fact discovery on February 27, 2009, with the exception
2 of certain issues for which this Court—in its February 25, 2009 Order (*see* Dkt. 130)—extended the
3 discovery deadline to March 13, 2009;

4 WHEREAS, the current deadline for Abbott to serve responses to GlaxoSmithKline's Second
5 Set of Requests for Admissions, as set out in the February 25, 2009 Order, is March 13, 2009;

6 WHEREAS, the current deadline for GlaxoSmithKline to move to compel to provide
7 responses to GlaxoSmithKline's Second Set of Requests for Admissions, as set out in the February
8 25, 2009 Order, is March 20, 2009;

9 WHEREAS, the parties are continuing to discuss a resolution to their dispute concerning
10 GlaxoSmithKline's Second Set of Requests for Admissions, including entering into a stipulation
11 concerning the authentication of certain documents and application of the business records exception
12 to certain documents;

13 WHEREAS, an additional, modest extension for Abbott to respond to the Second Set of
14 Requests for Admissions or for the parties to seek relief from the Court regarding these requests for
15 admissions will hopefully allow the parties to resolve any disagreements without being forced to
16 seek this Court's intervention;

17 WHEREAS, an extension will not affect the other scheduled dates previously set by this
18 Court (including expert discovery, summary judgment, and trial).

19 **IT IS HEREBY STIPULATED AND AGREED:**

20 1. Abbott will have until March 20, 2009 to respond to GlaxoSmithKline's Second Set
21 of Requests for Admissions or seek relief from the Court regarding those admissions. Any motion
22 seeking relief from responding to GSK's Second Set of Requests for Admissions should be initially
23 filed in the form of a 2-page letter brief before Judge Zimmerman.

24 2. GlaxoSmithKline will have until March 27, 2009 to file a motion to compel responses
25 to its Second Set of Requests for Admissions. Any such motion should be initially filed in the form
26 of a 2-page letter brief before Judge Zimmerman.

1 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:**

2
3 /s/ Trevor Stockinger

4 Trevor Stockinger
5 IRELL & MANELLA
6 1800 Avenue of the Stars
7 Suite 900
8 Los Angeles, CA 90067-4276
9 Attorney for GSK

/s/ Stephanie McCallum

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Laboratories

10 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

11 Dated: March 17, 2009



12
13 Judge Claudia Wilken
14 United States District Court
15 Northern District of California
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GENERAL ORDER 45 ATTESTATION

I, Stephanie S. McCallum, am the ECF User whose ID and password was used to file this STIPULATION EXTENDING DEADLINES RE GSK'S SECOND SET OF REQUESTS FOR ADMISSION. In compliance with General Order 45, X.B., I hereby attest that the above counsel, counsel for Plaintiffs, concurred in this filing.

Dated: March 13, 2009

/s/ Stephanie S. McCallum

Stephanie S. McCallum
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